



**THE CITY OF NEW YORK
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BY ECF

Honorable Sarah Netburn
United States District Judge
Southern District of New York
40 Foley Square
New York, NY 10007

Re: Robert Floyd v. City of New York, et al., 12 Civ. 8135 (JPO)(SN)

Your Honor:

I am an Assistant Corporation Counsel in the office of Michael A. Cardozo, Corporation Counsel of the City of New York, representing defendants in the above-referenced matter. I write pursuant to Court Order dated August 29, 2013 to respectfully advise the Court of the parties' proposed schedule for depositions in this matter. Defendants intend to depose plaintiff on October 10, 2013.¹ Plaintiff intends to depose defendants Lawson, Roberts and non-party officer Jeremiah Wilson on October 29, 2013. Plaintiff further intends to depose defendants Hanna, Brown and Salmeron on October 30, 2013.

¹ Defendants also respectfully reserve their right to depose Michael McDermott and Jason Dixon who were also arrested with plaintiff during the incident giving rise to this action. Upon information and belief, McDermott and Dixon pled guilty to charges during the criminal prosecution. To that end, defendants have requested the transcripts from the plea allocutions but have not yet received same. Once the documents have been received, defendants will be in a better position to determine whether or not the depositions of McDermott and Dixon will be necessary to the defense of this case.

Thank you for your attention to this matter.

Respectfully submitted,

/s/

Steven M. Silverberg
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Special Federal Litigation Division

cc: BY ECF
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Attorney for plaintiff